

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q85295

Andre DEROUET

Appln. No.: 10/519,004

Group Art Unit: 3726

Confirmation No.: 7593

Examiner: John C. HONG

Filed: December 27, 2004

For: SYSTEM AND METHOD OF MOULDING AND ASSEMBLING A FLUID PRODUCT
SPRAY DEVICE

RESPONSE TO ELECTION OF SPECIES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This responds to the Election of Species Requirement, dated August 18, 2008. The Examiner has identified the application as containing claims directed to more than one distinct species. The Examiner has required the Applicant to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted. The Examiner believes there are no generic claims. Applicant has been advised that a response to this requirement shall include an identification of the species that is elected and a listing of all claims readable thereon.

In response to the Examiner's requirement, Applicant elects Species II, Figs. 1-7 for examination ***on which claims 1-5, 13 and 14 are readable.***

Applicant notes the Examiner's initial indication that only claims 13 and 14 are readable on Figs. 1-7. In fact, this is not correct and, therefore, the present election is made with traverse.

Figures 1-7 illustrate a non-limiting exemplary embodiment of an in-mold assembly having the two molds (e.g., insert and spray head) provided in a common molding and assembly unit. The two molds are rotatable one with respect to the other: in a first position, both the insert and the spray head are simultaneously molded, and in a second position (after rotation), the inserts are inserted inside the spray heads (with the same insert cavities always facing the same spray head cavities). Claims 1-5, 13 and 14 are clearly readable on this Species II (Figs. 1-7) identified by the Examiner.

Figure 8 illustrates molding and assembly that are not performed in the same unit. Here, molding occurs before assembly, the molded pieces being stored before assembly. The inserts from the various insert cavities are stored separately (same with the spray heads), and then the inserts from a specific insert cavity are always assembled in the spray heads from a specific spray head cavity. Claims 1, 6, 7 and 13 are readable on this Species I (Fig. 8) identified by the Examiner.

Accordingly, claims 1 and 13 are generic to both Species I and II identified by the Examiner.

Applicant submits that if any of the elected claims is found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

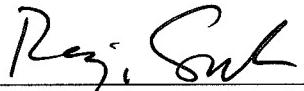
Applicant reserves the right to file a Divisional Application directed to non-elected claims.

RESPONSE TO ELECTION OF SPECIES
U.S. Application No.: 10/519,004

Attorney Docket No.: Q85295

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Raja N. Saliba
Registration No. 43,078

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: September 18, 2008